



MISC 2005059943



MAY 25 2005 13:07 P 8

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
5/25/2005 13:07:53.19



2005059943

**THIS PAGE INCLUDED FOR INDEXING
PAGE DOWN FOR BALANCE OF INSTRUMENT**

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8 FEE 40.50 FB 01-60000
// BKP 22-16-11 C/O 8 COMP _____
DEL _____ SCAN _____ FV _____

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SHORT FORM NOTICE OF AGREEMENT

Notice is hereby given that Diane B. Neibel, an unmarried individual, Adelyne K. Backhuus, Trustee, an individual trustee, Evelyn Suverkubbe, an unmarried individual, Jan R. Backhuus, an unmarried individual and Mark C. Backhuus and Karla J. Backhuus, husband and wife (individually, jointly and severally, and collectively the "Seller"), and BHD, L.L.C., a Nebraska limited liability company (the "Buyer"), have entered into the below identified Agreement (the "agreement") in which Seller has, for valuable consideration, agreed to sell to Buyer that certain real estate located in Douglas County, Nebraska, described in Exhibit "A", attached hereto and incorporated herein by this reference (the "real estate").

So long as the agreement is in effect, the Seller has agreed not to assign, transfer, convey or otherwise dispose of any right, title or interest in the agreement or the real estate and has further agreed not to create, consent to or allow to exist any new lien, mortgage, encumbrance, easement, covenant, reservation, condition or restriction against the real estate. All filings and recordings against the real estate subsequent to the filing of this Short Form Notice of Agreement shall be inferior, junior and subject in all respects to the terms of the agreement.

Any notice required or permitted by the agreement shall be personally delivered or sent in writing, postage prepaid by certified or registered mail, or delivered by a nationally recognized courier service, addressed to Buyer or Seller as the case may be, with copy to Escrow Agent, as follows:

AB
DN

#559627

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To Seller at: Diane B. Neibel et. al.
c/o Howard L. Neuhaus
Neuhaus Law Office
3934 North 90th Street
Omaha, Nebraska 68134

To Buyer at: BHD, L.L.C.
c/o Alden B. Averkamp
10822 Old Mill Road, Suite 1
Omaha, Nebraska 68154-2645
(402) 334-9111

With Copy to: Charles J. Addy
Baird Holm Law Firm
1500 Woodmen Tower
Omaha, Nebraska 68102
(402) 344-0500

To Escrow Agent: Security Land Title & Escrow Company
Attn: Ellen Albrecht
13924 Gold Circle
Omaha, Nebraska 68144
(402) 333-7447

Either party or Escrow Agent may change its respective address or addresses upon five (5) days' prior written notice to all others in the manner for giving notices above specified.

The terms, conditions and covenants of the Agreement to sell are specifically stated in the Agreement executed dated as of the 20th day of May, 2005, the terms of which shall in all respects control. This document is intended only to provide record notice of said agreement.

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SELLER:

Diane B. Neibel
Diane B. Neibel, an unmarried individual

Adelyne K. Backhuus
Adelyne K. Backhuus, Trustee,
an individual trustee

Evelyn Suverkrubbe
Evelyn Suverkrubbe, an unmarried individual

Jan R. Backhuus
Jan R. Backhuus, an unmarried individual

Mark C. Backhuus
Mark C. Backhuus, a married individual

Karla J. Backhuus
Karla J. Backhuus, a married individual

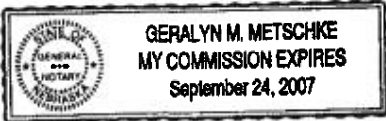
BUYER:

BHD, L.L.C.,
a Nebraska limited liability company

By: Barbara Udes Shaw
Name: Barbara Udes Shaw
Its: Manager

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Short Form Notice of Agreement was acknowledged before me this 19 day of May, 2005, by Barbara Udes Shaw, manager on behalf of BHD, L.L.C., a Nebraska limited liability company.

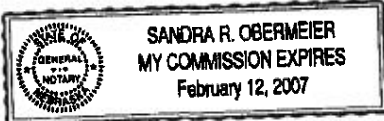


Geraldyn M. Metschke
Notary Public

My commission expires: Sept. 24, 2007.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Agreement was acknowledged before me this 20th day of May, 2005, by Diane B. Neibel, an unmarried individual.

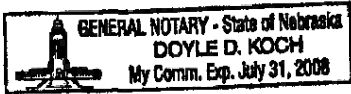


Sandra R. Obermeier
Notary Public

My commission expires: February 12, 2007.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Agreement was acknowledged before me this 20th day of May, 2005, by Adelyne K. Backhuus, Trustee, an individual trustee.

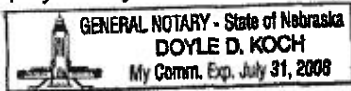


[Signature]
Notary Public

My commission expires: July 31, 2008.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Agreement was acknowledged before me this 20th day of May, 2005, by Evelyn Suverkrubbe, an unmarried individual.

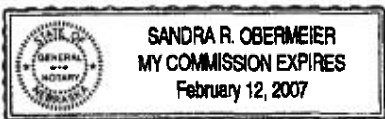


[Signature]
Notary Public

My commission expires: July 31, 2008.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Agreement was acknowledged before me this 20th day of May, 2005, by Jan R. Backhuus, an unmarried individual.



[Signature]
Notary Public

My commission expires: February 12, 2007.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Agreement was acknowledged before me this 20th day of May, 2005, by Mark C. Backhuus, a married individual.



[Signature]
Notary Public

My commission expires: February 21, 2008.

STATE OF NEBRASKA)
)
COUNTY OF DOUGLAS)

The foregoing Agreement was acknowledged before me this 20th day of May, 2005, by Karla J. Backhuus, a married individual.



Lynne E. Lurvey
Notary Public

My commission expires: February 21, 2008.

After filing, return to:
Charles J. Addy
Baird Holm Law Firm
1500 Woodmen Tower
Omaha, Nebraska 68102

EXHIBIT "A"

NWSE
The Southeast Quarter of Section 22, Township 16, Range 11, and commencing at the centre of Section 22, Township 16, Range 11, East, thence West 40 chains thence North 33.6 chains to centre of Military Road, thence South 54 degrees 45 Minutes East along centre of Military Road to the North and South centre line of said Section 22, thence South 5.15 chains to the place of beginning, being all that part of the Northwest Quarter of said Section 22 lying South of centre of the Military Road except that part deeded to the State of Nebraska more particularly described at Deed 904 Page 211, in Douglas County, Nebraska.

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MISC 2007032290



MAR 23 2007 09:31 P 2

AFFIDAVIT

Received - DIANE L. BATTIATO
Register of Deeds, Douglas County, NE
3/23/2007 09:31:31.96
 2007032290

STATE OF NEBRASKA)
)ss.
COUNTY OF Douglas)

Eugene J. Graves, Jr., a member of BHD, L.L.C., a Nebraska limited liability company, and HGH Investments, LLC, a Nebraska limited liability company, hereby swears and affirms:

1. I am a member of BHD, L.L.C., a Nebraska limited liability company ("BHD") and HGH Investments, LLC, a Nebraska limited liability company ("HGH").

2. BHD entered into a Purchase Agreement dated May 20, 2005 ("Purchase Agreement") with Diane B. Neibel, an unmarried individual, Adelyne K. Backhuus, Trustee, an individual trustee, Evelyn Suverkubbe, an unmarried individual, Jan R. Backhuus, an unmarried individual, Marc Backhuus and Katie J. Backhuus, husband and wife, (collectively, "Seller") to purchase the property legally described as:

NT-COM

The Southeast Quarter of Section 22, Township 16, Range 11, and commencing at the centre of Section 22, Township 16, Range 11; East, thence West 40 chains thence North 33.6 chains to centre of Military Road, thence South 54 degrees 45 minutes East along centre of Military Road to the North and South centre line of said Section 22, thence South 5.15 chains to the place of beginning, being all that part of the Northwest Quarter of said Section 22 lying South of centre of the Military Road except that part deeded to the State of Nebraska more particularly described at Deed 904 Page 211, in Douglas County, Nebraska (the "Property").

NE
NW } SE
SE
SW

3. The parties entered into a Short Form Notice of Agreement dated May 20, 2005 and recorded with the Douglas County Register of Deeds on May 25, 2005 as Instrument No. 2005059943 to memorialize the terms and conditions of the Purchase Agreement.

(L0730917.1)

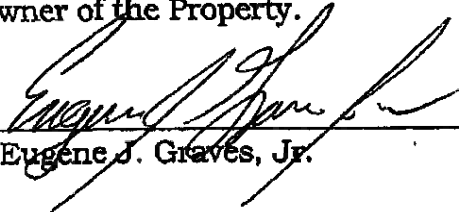
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4. The parties amended the Purchase Agreement through the Amendment to Purchase Agreement dated February 1, 2006 ("Amendment") to allow BHD to reserve the right to assign the purchase of the Property.

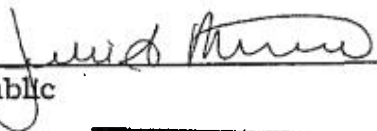
5. BHD subsequently assigned the Purchase Agreement, as amended, to HGH. HGH fully satisfied the terms and conditions of the Purchase Agreement, subsequently closed on the Property and is the current owner of the Property.



Eugene J. Graves, Jr.

STATE OF NEBRASKA)
) ss
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me on 22nd of February 2007, by Eugene J. Graves, Jr. on his own behalf.



Notary Public

